

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION
3 IN THE MATTER OF:)
)
4 LEAF RIVER TELEPHONE)
 COMPANY and L.R.)
5 COMMUNICATIONS, INC.)
) No. 03-0742
6 Petition for approval)
 of a stock redemption)
7 pursuant to Section)
 7-204 of the Public)
8 Utilities Act.)

9 Chicago, Illinois
10 January 21, 2004
11 Met, pursuant to adjournment, at 11 o'clock
12 a.m.
13 BEFORE:
14 MS. LESLIE HAYNES,
 Administrative Law Judge
15
16 APPEARANCES:
17 MR. GARY LLOYD SMITH
 1204 South 4th Street
18 Springfield, Illinois, 62703
 appearing for Leaf River Telephone
19 Company and L.R. Communications, Inc.;
20
21
22

1 APPEARANCES (continued):

2 MR. MICHAEL LANNON and
3 MS. BRANDY D.B. BROWN
4 160 North LaSalle Street, Suite C-800
5 Chicago, Illinois 60601
6 appearing for staff of the Illinois
7 Commerce Commission;

8

9

10

11

12

13

14

15

16

17 SULLIVAN REPORTING COMPANY, by
18 Patricia Wesley, CSR, RPR
19 License No. 084-002170

20

21

22

1 JUDGE HILLIARD: Pursuant to the direction of
2 the Illinois Commerce Commission, I now call
3 Docket 03-0742, Leaf River Telephone Company and
4 L.R. Communications, Inc., petition for approval of
5 a stock redemption pursuant to Section 7-204
6 of the Public Utilities Act.

7 May I have appearances for the record,
8 please, starting with the hearing room in Chicago.

9 MR. LANNON: Appearing on behalf of the Illinois
10 Commerce Commission, Michael Lannon and Brady Brown,
11 160 North LaSalle Street, Suite C-800, Chicago,
12 Illinois, 60601.

13 JUDGE HAYNES: And on the telephone?

14 MR. SMITH: Good morning, Judge. My name is Gary
15 Lloyd Smith. My business address is 1204 South 4th
16 Street, Springfield, Illinois, 62703. I'm an
17 attorney licensed to practice in the State of
18 Illinois and I'm appearing on behalf of the
19 applicant in this case.

20 JUDGE HAYNES: Are there any further appearances?

21 (No response.)

22 Let the record reflect there are none.

1 (No further appearances.)

2 This was scheduled to be an evidentiary
3 hearing, but it will rather be a status. Would
4 staff like to bring me up to date.

5 MR. LANNON: That's correct, your Honor. Based
6 on the responses of Leaf River to discovery that
7 staff sent out, staff is going to require another
8 round of discovery. We found some discrepancies in
9 some of the data that we want to follow up questions
10 with and make sure that we have the right data in
11 front of us when staff makes its recommendation.

12 So what we would like to do is to --
13 due to the fact that staff is also very busy with a
14 number of different dockets, as I'm sure you are
15 aware -- I know I am aware of it -- we would like to
16 get some new data requests out by the 30th at the
17 latest. We'll try to get it out sometime earlier in
18 that week.

19 If the company is willing to do a
20 two-week turnaround like they agreed to before, that
21 would mean we would be getting the company's
22 responses sometime in the week of February 9th.

1 Staff would recommend that we set
2 another status -- status/evidentiary hearing similar
3 to the one we did today for, let's say, February
4 18th and at that time hopefully we will be able to
5 determine whether there will be any contested
6 issues, which would require staff filing testimony
7 or whether staff can just make its recommendation in
8 some other form rather than the testimony if there
9 are no contested issues, and that's about it.

10 JUDGE HAYNES: Mr. Smith, does that sound
11 reasonable to you?

12 MR. SMITH: Are we on the record, Judge, or off
13 the record?

14 JUDGE HAYNES: We are on the record. Would you
15 like to have -- would you like to talk about these
16 dates off the record?

17 MR. SMITH: Yes, why don't we, because I don't
18 think it's necessarily important to put it on the
19 record.

20 JUDGE HAYNES: Let's go off the record.

21 (Off the record.)

22 Let's go back on the record.

1 We have had a scheduling discussion off
2 the record and staff and Leaf River have agreed that
3 staff will serve its additional data requests the
4 week of January 26, no later than January 30th, and
5 Leaf River will respond the week of February 9th, no
6 later than February 13, and we will hold a status
7 hearing on February 18th at 11 a.m., unless there
8 are no contested issues, and in which case it will
9 be an evidentiary hearing on February 18th.

10 Is there anything further?

11 MR. BROWN: The only thing I'll add by the close
12 of business at February the 13th, staff will notify
13 me as to whether or not you are going to protest on
14 an evidentiary basis or another status hearing on
15 the February 18th hearing date.

16 MR. LANNON: Staff has nothing further, your
17 Honor.

18

19

20

21

22

1 JUDGE HAYNES: Okay. This is continued to
2 February 18 at 11 a.m.

3 MR. SMITH: Thank you, your Honor.

4 (Whereupon, the above
5 matter was adjourned, to
6 be continued February 18,
7 2004 at 11 o'clock a.m.)

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

No. 03-0742

State of Illinois
ILLINOIS COMMERCE COMMISSION

(To be filed with the Chief Clerk)

MINUTES

Chicago, Illinois
January 21, 2004

Case No. 03-0742

Subject: LEAF RIVER TELEPHONE COMPANY and
L.R. COMMUNICATIONS, INC.

Petition for approval of a stock
redemption pursuant to Section 7-204
of the Public Utilities Act

HEARD BY: MS. LESLIE HAYNES,
ADMINISTRATIVE LAW JUDGE

APPEARANCES AND ADDRESSES:

MR. GARY LLOYD SMITH, 1204 South 4th Street,
Springfield, Illinois, 62703, appearing for Leaf
River Telephone Company and L.R. Communications,
Inc.;

MR. MICHAEL LANNON and MS. BRANDY D.B. BROWN,
160 North LaSalle Street, Suite C-800, Chicago,
Illinois, 60601, appearing for staff of the Illinois
Commerce Commission;

DISPOSITION: Continued to February 18, 2004 at 11
o'clock a.m.

EXHIBITS FILED: (None.)

1 REPORTED BY: SULLIVAN REPORTING COMPANY, by
2 Patricia Wesley
3 REMARKS: Orig to Commission
4 Pages 19-25 (7pgs)
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

1 CERTIFICATE OF REPORTER

2 STATE OF ILLINOIS)
COUNTY OF COOK) SS:
3 CASE NUMBER: 03-0742
TITLE: LEAF RIVER TELEPHONE COMPANY and
4 L.R. COMMUNICATIONS, INC.

5 Petition for approval of a stock
redemption pursuant to Section 7-204
6 of the Public Utilities Act

7 I, Patricia Wesley, do hereby certify that I am
a court reporter contracted by SULLIVAN REPORTING
8 COMPANY, of Chicago, Illinois; that I reported in
shorthand the evidence taken and the proceedings had
9 on the hearing on the above-entitled case on the
21st day of January A.D., 2004; that the foregoing
10 65 pages are a true and correct transcript of my
shorthand notes so taken as aforesaid, and contains
11 all of the proceedings direct by the Commission or
other person authorized by it to conduct the said
12 hearing to be stenographically reported, dated at
Chicago, Illinois, this 5th day of February, A.D.
13 2004.

14

15 _____
Certified Shorthand Reporter

16

17

18

19

20

21

22